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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/643,948	08/23/2000	Kaori Yasufuku	2423-6	9826

22204 7590 05/30/2002

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EXAMINER

FIGUEROA, FELIX O

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 05/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/643,948

Applicant(s)

YASUFUKU ET AL.

Examiner

Felix O. Figueroa

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 9, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondreault (US 5,769,668) in view of Geib (US 4,761,140).

Tondreault discloses a connector body (10) having a receiving part (14) having a contacts (20) provided in a groove that contact the conductive pad on top and bottom surfaces of the a module, a supporting part (24,26) which extends rearward from the receiving part, and a positioning mechanism (28,30) to hold a module in a forward-rearward direction. Tondreault discloses substantially the claimed invention except for metallic cover.

Geib teaches the use of a hinged, removable, metallic cover (14) including first connection means (102) and second connection means (98), to keep a module in place. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a cover, as taught by Geib, to keep the module from moving from the connecting position.

Alternatively, Geib shows that a metallic cover (14) including first connection means (102) and second connection means (98) is an equivalent structure known in the art for retaining structure of Tondreault. Therefore, because these two retention

Art Unit: 2833

structures were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious the substitution of the retention structure of Tondreault for a metallic cover of Geib to keep the module from moving from the connecting position.

Claims 5, 6, 10, 11, 16, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tondreault and Geib as applied to claims 4, 9 and 15 above, and further in view of Loo et al. (US 5,648,890).

Loo teaches the use of a cover (16) having a window (38) and a heat sink (20) in the window covering a conductive member (12) to dissipate the heat from the conductive member. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a heat sink covering a conductive member, as taught by Loo, to perform a heat dissipation function.

Claims 7, 8, 12, 13, 18 and 19 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Tondreault and Geib as applied to claims 4, 9 and 15 above, and further in view of Cronin et al. (US 6,246,583).

Cronin teaches a cover including a contacting part to transfer the thermal energy to a heat sink (211). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use a contacting part, as taught by Cronin, to transfer the thermal energy to the heat sink.

Response to Arguments

Applicant's arguments filed 3/28/02 have been fully considered but they are not persuasive.

Regarding applicant's arguments that Geib does not teaches in combination: a first connection means for connection to a receiving part of the connector body, and a second connection means for connection to a lateral supporting part of the connector body, please note that the first connection means is connected to a receiving part (32) and the second connection means is connected to lateral supporting part of the connector body (lateral part of 52). Clearly, Geib shows the metallic cover forming a connection with two walls of the connector body.

Regarding applicant's arguments that Loo does not show the cover and the heat sink being "a single structure as required in the claimed invention", please note that none of the claims recite the cover and the heat sink being a single structure. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. Nevertheless, it is note that multiple part connected by fastening or other methods can be considered as a single structure. Specifically, on claim 20, Loo teaches the heat sink being secured to the cover and contacting the semiconductor chip.

Regarding applicant's arguments that Loo does not discloses the cover composed of a metallic material, please note that such limitation is shown by Geib. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Please note that Loo teaches the heat sink being secured to the cover and contacting the semiconductor chip to perform the heat dissipation function.


Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (703) 308-0097. The examiner can normally be reached on Mon.-Fri., 8:00-5:00.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.


FELIX O. FIGUEROA
EXAMINER

ffr
May 28, 2002